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★ JUL 27 2012 ★

LONG ISLAND OFFICE

July 26, 2012

Hon. Arthur D. Spatt, U. S. District Court Judge
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: Trustees of the Empire State Carpenters
Funds v. JCMI, Inc.
Index No. 11-CV-4742

Dear Judge Spatt:

As you may recall, I was appointed by you as pro bono counsel to JCMI, Inc. for the purpose of determining whether James Cronin, owner of JCMI, Inc., wished to continue his motion to vacate a default judgment in the above matter. In your Order, you directed that Mr. Cronin contact me within ten days of the issuance of the Order and that I report to you within thirty days of the Order.

Mr. Cronin did contact me within the time frame set forth in your Order and I did meet with him to discuss the issue. I explained the process to Mr. Cronin and pointed out that the Fund law suit did not, except with regard to filing and attorney's fees, ask for him to pay anything to the Fund office until such time as the Fund auditor examined the books of JCMI, Inc., after which the auditor would issue a report on the audit. At that time, I advised Mr. Cronin, he would have an opportunity to contest the findings. I further advised Mr. Cronin that the Fund counsel, Owen Rumelt, had contacted me after the issuance of the Order to explore the possibility of settling the audit request portion of the action.

After discussing these items with Mr. Cronin, he authorized me to contact Mr. Rumelt for the purpose of arranging for the audit to be conducted. I did contact Mr. Rumelt and did arrange for the Fund auditors to examine the books and records of JCMI, Inc. to determine whether

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JCMI, Inc. had met its obligations to make certain contributions to the Funds pursuant to the collective bargaining agreement with the Carpenters Union. The audit was scheduled for Thursday, July 26, 2012, and it was, in fact, conducted by the Funds auditor.

In view of the above, and with the consent of Mr. Rumelt, I would request that the parties be granted an additional thirty days to attempt to settle the entire dispute underlying the Fund action. I will be happy to continue to represent Mr. Cronin during this period under the same terms as my original designation.

A copy of this letter has been sent to Mr. Rumelt by facsimile transmission and by e-mail.

Respectfully submitted



Clifford P. Chaiet (CC0609)

cc: James Cronin
JCMI, Inc.

Owen Rumelt, Esq.
Levy Ratner, P.C.
80 Eighth Avenue, 8th Floor
New York, New York 10011-5126

Request granted. So ordered.

Arthur D. Spalt, U.S.O.J.
7/27/12

**MOVANT'S COUNSEL IS DIRECTED TO SERVE A
COPY OF THIS ORDER ON ALL PARTIES UPON
RECEIPT VIA FACSIMILE.**